

AMENDED IN SENATE JUNE 24, 2009

AMENDED IN ASSEMBLY MAY 6, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 827

Introduced by Assembly Member Yamada
(Coauthor: Assembly Member Beall)

February 26, 2009

An act to add Section 26158 to the Government Code, relating to records.

LEGISLATIVE COUNSEL'S DIGEST

AB 827, as amended, Yamada. Records.

Existing law requires the county recorder to charge and collect certain fees for the filing or recording of various property-related instruments, papers, or notices.

This bill would authorize a county board of supervisors to ~~impose a fee, not to exceed \$3 for the first page and \$1 for any subsequent pages, for the archiving of historical county records, including, but not limited to, records pertaining to real property, local agency meetings and actions, roads and other public works, and other records of general public or historical interest, as specified~~ *provide for the archiving of historical county records, including, but not limited to, records pertaining to real property, local agency meetings and actions, roads and other public works, and other records of general public or historical interest. The bill would authorize the board of supervisors to adopt and impose a fee on the recording of property-related documents, the amount of which would be prohibited from exceeding the estimated reasonable cost of*

providing archival services with regard to these documents, but not more than \$3 per document.

The bill would authorize the county recorder to expend the proceeds from the fee only to defray the cost of providing archival services in connection with property-related documents, as specified, and would require these archival services to conform with certain professional practices.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 26158 is added to the Government Code,
2 to read:

3 ~~26158. The board of supervisors may provide for the archiving~~
4 ~~of historical county records, including, but not limited to, records~~
5 ~~pertaining to real property, local agency meetings and actions,~~
6 ~~roads and other public works, and other records of general public~~
7 ~~or historical interest. For purposes of funding these activities, the~~
8 ~~board of supervisors may adopt and impose a fee on the recording~~
9 ~~of documents. This fee shall not exceed the estimated reasonable~~
10 ~~cost of providing the services authorized by this section, and shall~~
11 ~~not exceed three dollars (\$3) for the first page and one dollar (\$1)~~
12 ~~for any subsequent pages.~~

13 *26158. (a) The board of supervisors may provide for the*
14 *archiving of historical county records, including, but not limited*
15 *to, records pertaining to real property, local agency meetings and*
16 *actions, roads and other public works, and other records of general*
17 *public or historical interest.*

18 *(b) For purposes of funding a portion of the cost of the activities*
19 *specified in subdivision (a), the board of supervisors may adopt*
20 *and impose a fee on the recording of property-related documents*
21 *that refer to one or more previously recorded documents,*
22 *previously archived documents, or both. This fee shall be set at*
23 *an amount that does not exceed the estimated reasonable costs of*
24 *providing the archival services authorized by this section with*
25 *respect to deeds, indentures, surveys, parcel and subdivision maps,*
26 *and other property-related documents, but shall not exceed three*
27 *dollars (\$3) per document.*

1 (c) *The board of supervisors shall direct the county recorder*
2 *to deposit the fees collected pursuant to this section into a special*
3 *fund. The county recorder may expend the proceeds from the fund*
4 *only to defray the cost of providing archival services in connection*
5 *with property-related documents, including, but not limited to, all*
6 *of the following:*

7 (1) *Costs associated with indexing those documents.*

8 (2) *Providing reasonable access to those documents, and*
9 *assisting the public with regard to those documents.*

10 (3) *Preserving those documents in a manner that ensures their*
11 *physical integrity, security, and longevity.*

12 (d) *The archival services provided by a county recorder that*
13 *are funded by the proceeds generated by the fee imposed pursuant*
14 *to this section shall conform with the professional practices*
15 *recommended by the Society of American Archivists for the*
16 *management, care, and preservation of historical records.*